

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

FELIX ORIAKHI,

Petitioner,

v.

CHARLES GREEN,

Respondent.

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Civ. No. 16-8651 (KM)

MEMORANDUM AND ORDER

Petitioner, Felix Oriakhi, is an immigration detainee currently lodged at the Hudson County Correctional Facility in Kearny, New Jersey. He proceeded *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Mr. Oriakhi challenged his current immigration detention in his habeas petition. On April 10, 2017, I denied the habeas petition without prejudice. However, I permitted Mr. Oriakhi to reopen this case by filing a motion for reconsideration if there was no travel document forthcoming within forty-five days.

The forty-five days has now expired. Subsequently, Mr. Oriakhi filed a motion for reconsideration. (*See* Dkt. No. 22) Therefore, the Clerk will be ordered to reopen this case. Respondent shall be ordered to respond to the motion for reconsideration. Respondent's response shall specifically address whether Mr. Oriakhi is now entitled to habeas relief pursuant to *Zadvydas v. Davis*, 533 U.S. 678 (2001).

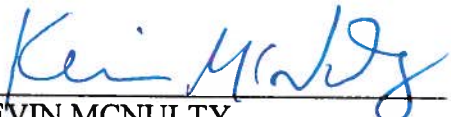
Therefore, IT IS this 2d day of June, 2017,

ORDERED that the Clerk shall reopen this case in light of petitioner's motion for reconsideration; and it is further

ORDERED that respondent shall file a response to the motion for reconsideration on or before June 19, 2017 that expressly addresses whether petitioner is now entitled to habeas relief pursuant to *Zadvydas*; and it is further

ORDERED that petitioner may file a reply in support of his motion for reconsideration on or before July 3, 2017; and it is further

ORDERED that the Clerk shall serve this order on petitioner by regular U.S. mail.



KEVIN MCNULTY
United States District Judge